

Commonwealth of Virginia



REGULATIONS
GOVERNING THE PRACTICE OF
ASSISTED LIVING ADMINISTRATORS

Virginia Board of Long-Term Care Administrators

Title of Regulations: 18VAC95-30-10 et seq.

**Statutory Authority: § 54.1-2400 and Chapter 31 of Title 54.1
of the *Code of Virginia***

Effective Date:

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Part I. General Provisions.

18VAC95-30-10. Definitions.

A. The following words and terms when used in this chapter shall have the definitions ascribed to them in §54.1-3100 of the Code of Virginia:

“Assisted living facility”

“Assisted living facility administrator”

“Board”

B. The following words and terms when used in this chapter shall have the following meanings unless the context indicates otherwise:

“Domains of practice” means the content areas of tasks, knowledge and skills necessary for administration of a residential care/assisted living facility as approved by the National Association of Boards of Examiners for Long Term Care Administrators.

“NAB” means the National Association of Boards of Examiners for Long Term Care Administrators.

18VAC95-30-20. Posting of license.

Each licensee shall post his license in a main entrance or place conspicuous to the public in each facility in which the licensee is administrator-of-record.

18VAC95-30-30. Accuracy of information.

A. All changes of mailing address or name shall be furnished to the board within 30 days after the change occurs.

B. All notices required by law and by this chapter to be mailed by the board to any licensee shall be validly given when mailed to the latest address on file with the board and shall not relieve the licensee, trainee, or preceptor of the obligation to comply.

18VAC95-30-40. Required fees.

A. The applicant or licensee shall submit all fees below which apply:

<u>1. A.I.T. program application</u>	<u>\$185</u>
<u>2. Preceptor application</u>	<u>\$125</u>
<u>3. Licensure application</u>	<u>\$200</u>
<u>4. Verification of licensure requests from other states</u>	<u>\$25</u>

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<u>5. Assisted living facility administrator license renewal</u>	<u>\$225</u>
<u>6. Preceptor renewal</u>	<u>\$100</u>
<u>7. Penalty for assisted living facility administrator late renewal</u>	<u>\$65</u>
<u>8. Penalty for preceptor late renewal</u>	<u>\$35</u>
<u>9. Assisted living facility administrator reinstatement</u>	<u>\$315</u>
<u>10. Preceptor reinstatement</u>	<u>\$150</u>
<u>11. Duplicate license</u>	<u>\$15</u>
<u>12. Duplicate wall certificates</u>	<u>\$25</u>
<u>13. Returned check</u>	<u>\$35</u>

B. Fees shall not be refunded once submitted.

C. Examination fees are to be paid directly to the service or services contracted by the board to administer the examinations.

18VAC95-30-50. Practice by a licensed nursing home administrator.

Pursuant to § 54.1-3102 B of the Code of Virginia, a person who holds a license as a nursing home administrator issued by the board may engage in the general administration of an assisted living facility.

Part II. Renewals and Reinstatements.

18VAC95-30-60. Renewal requirements.

A. A person who desires to renew his license or preceptor registration for the next year shall, not later than the expiration date of March 31 of each year, submit a completed renewal application and fee.

B. The renewal application and fee shall be received no later than the expiration date. Postmarks shall not be considered.

C. An assisted living facility administrator license or preceptor registration not renewed by the expiration date shall be invalid.

18VAC95-30-70. Continuing education requirements.

A. In order to renew an assisted living administrator license, an applicant shall attest on his renewal application to completion of 20 hours of approved continuing education for each renewal year.

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1. Up to ten of the 20 hours may be obtained through Internet or self-study courses and up to 10 continuing education hours in excess of the number required may be transferred or credited to the next renewal year.

2. A licensee is exempt from completing continuing education requirements and considered in compliance on the first renewal date following initial licensure.

B. In order for continuing education to be approved by the board, it shall be related to the domains of practice for residential care/assisted living and approved or offered by NAB, an accredited educational institution or a governmental agency.

C. Documentation of continuing education.

1. The licensee shall retain in his personal files for a period of three renewal years complete documentation of continuing education including evidence of attendance or participation as provided by the approved sponsor for each course taken.

2. Evidence of attendance shall be an original document provided by the approved sponsor and shall include:

a. Date or dates the course was taken;

b. Hours of attendance or participation;

c. Participant's name; and

d. Signature of an authorized representative of the approved sponsor.

3. If contacted for an audit, the licensee shall forward to the board by the date requested a signed affidavit of completion on forms provided by the board and evidence of attendance or participation as provided by the approved sponsor.

D. The board may grant an extension of up to one year or an exemption for all or part of the continuing education requirements due to circumstances beyond the control of the administrator, such as a certified illness, a temporary disability, mandatory military service, or officially declared disasters.

18VAC95-30-80. Late renewal.

A. A person who fails to renew his license or preceptor registration by the expiration date shall, within one year of the initial expiration date:

1. Submit the renewal notice or request renewal by mail to the board;

2. Submit the applicable renewal fee and penalty fee;

3. Provide evidence as may be necessary to establish eligibility for renewal.

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B. The documents required in subsection A of this section shall be received in the board office within one year of the initial expiration date. Postmarks shall not be considered.

18VAC95-30-90. Reinstatement for an assisted living facility administrator license or preceptor registration.

A. The board may reinstate an assisted living facility administrator license or preceptor registration that was not renewed within one year of the initial expiration date.

B. An applicant for assisted living facility administrator license reinstatement shall apply on a reinstatement form provided by the board, submit the reinstatement fee, and provide one of the following:

1. Evidence of the equivalent of 20 hours of continuing education for each year since the last renewal, not to exceed a total of 60 hours.

2. Evidence of active practice in another state or U.S. jurisdiction or in the U.S. armed services during the period licensure in Virginia was lapsed.

3. Evidence of requalifying for licensure by meeting the requirements prescribed in 18VAC95-30-90 and 18VAC95-30-100.

C. An applicant for preceptor reinstatement shall apply on a reinstatement form provided by the board, submit the reinstatement fee, and meet the current requirements for a preceptor in effect at the time of application for reinstatement.

Part III. Requirements for Licensure.

18VAC95-30-100. Educational and training requirements for initial licensure.

A. Until (date of one year from the effective date of the regulations), any person who has served full-time as the administrator of record in accordance with requirements of 22VAC40-71-60 and 22VAC40-71-630, or an assistant administrator in an assisted living facility licensed in the Commonwealth of Virginia, for the period of two of the three years immediately preceding the effective date of these regulations may be licensed by the board if he provides:

1. Documentation that he was the full-time administrator of record or the full-time assistant administrator for an assisted living facility licensed in the Commonwealth of Virginia for the specified time period; and

2. Documentation of a passing grade on a state examination approved by the board.

B. To be qualified for initial licensure as an assisted living facility administrator, an applicant shall hold a high school diploma or general education diploma (GED) and hold one of the following qualifications:

1. Degree and practical experience.

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Hold a baccalaureate or higher degree in a health care related field that meets the course content requirements of subsection C of this section from an accredited college or university and have completed not less than a 320-hour internship that addresses the Domains of Practice as specified in 18VAC95-30-160 in a licensed assisted living facility as part of the degree program under the supervision of a preceptor registered by the board; or

2. Certificate program.

Hold a baccalaureate or higher degree in a field unrelated to health care from an accredited college or university and successfully complete a certificate program with a minimum of 21 semester hours study in a health care related field that meets course content requirements of subsection C of this section from an accredited college or university and successfully complete not less than a 320-hour internship that addresses the Domains of Practice as specified in 18VAC95-30-160 in a licensed assisted living facility as part of the certificate program under the supervision of a preceptor registered by the board; or

3. Administrator-in-training program.

a. Complete at least 30 semester hours in an accredited college or university with courses in the content areas of (i) Client/resident care; (ii) Human resources management; (iii) Financial management; (iv) Physical environment; and (v) Leadership and governance; and 500 hours in an administrator-in-training program within one year; or

b. Complete at least 30 semester hours in an accredited college or university in any subject; and 1,000 hours in an administrator-in-training program within two years;

C. To meet the educational requirements for a degree in a health care related field, an applicant must provide a transcript from an accredited college or university that documents successful completion of a minimum of 21 semester hours of coursework concentrated on the administration and management of health care services to include a minimum of six semester hours in the content area set out in subdivision 1 of this subsection, three semester hours in each of the content areas in subdivisions 2 through 5, and three semester hours for an internship.

1. Resident/client services management;

2. Human resource management;

3. Financial management;

4. Physical environment management;

5. Leadership and governance

18VAC95-30-110. Examination requirements for initial licensure.

To be licensed under subsection B of 18VAC95-30-100, an applicant shall provide evidence of passing grades on examinations acceptable to the board to include:

1. A national credentialing examination for administrators of assisted living facilities; and

2. A jurisprudence examination on the laws and regulations governing the practice of an assisted living facility administrator in Virginia.

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18VAC95-30-120. Qualifications for licensure by endorsement.

The board may issue a license to any person who:

1. Holds a current, unrestricted license, certificate or registration as an assisted living facility administrator from any state or the District of Columbia;
2. Has not been the subject of a disciplinary action taken by any jurisdiction in which he was found to be in violation of law or regulation governing practice and which, in the judgment of the board, has not remediated;
3. Meets one of the following conditions:
 - a. Has practiced as the administrator of record in an assisted living facility that provides assisted living care as defined in § 63.2-100 of the Code of Virginia for at least two of the three years immediately preceding application to the board; or
 - b. Has education and experience substantially equivalent to qualifications required by this chapter and has provided written evidence of those qualifications at the time of application for licensure; and
4. Has successfully completed a state examination on the laws and regulations governing the practice of an assisted living facility administrator.

18VAC95-30-130. Application package.

A. An application for licensure shall be submitted after the applicant completes the qualifications for licensure.

B. An individual seeking licensure as an assisted living facility administrator or registration as a preceptor shall submit simultaneously:

1. A completed application as provided by the board;
2. Additional documentation as may be required by the board to determine eligibility of the applicant; and
3. The applicable fee.

C. With the exception of school transcripts, examination scores, and verifications from other state boards, all parts of the application package shall be submitted at the same time. An incomplete package shall be retained by the board for one year, after which time the application shall be destroyed and a new application and fee shall be required.

Part IV. Administrator-in-Training Program.

18VAC95-30-140. Training qualifications.

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A. To be approved as an administrator-in-training, a person shall:

1. Have received a passing grade on a total of 30 semester hours of education from an accredited college or university;
2. Obtain a preceptor to provide training;
3. Submit the application provided by the board and the fee prescribed in 18VAC95-30-40; and
4. Submit additional documentation as may be necessary to determine eligibility of the applicant and the number of hours required for the A.I.T. program.

B. With the exception of school transcripts, all required parts of the application package shall be submitted at the same time. An incomplete package shall be retained by the board for one year after which time the application shall be destroyed and a new application and fee shall be required.

18VAC95-30-150. Required hours of training.

A. The A.I.T. program shall consist of 1,000 hours of continuous training in a facility as prescribed in 18VAC95-30-160 to be completed within 24 months. An extension may be granted by the board on an individual case basis. The board may reduce the required hours for applicants with certain qualifications as prescribed in subsection B and C of this section.

B. An A.I.T. applicant with prior health care work experience may request approval to receive a maximum 500 hours of credit toward the total 1,000 hours as follows:

1. An applicant who has been employed full time for four of the past five years immediately prior to application as an assistant administrator in a licensed assisted living facility or nursing home;
2. An applicant who has been employed full time for four of the past five years immediately prior to application as a hospital administrator having responsibilities in all of the following areas:

a. Regulatory/compliance;

b. Fiscal;

c. Supervisory;

d. Personnel; and

e. Management; or

3. An applicant who holds a license as a nurse and who has held an administrative level supervisory position in nursing for at least four of the past five consecutive years, in a training facility as prescribed in 18VAC95-30-160.

C. An A.I.T. applicant with the following educational qualifications shall meet these requirements:

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1. An applicant with a master's or a baccalaureate degree in health care related field or a comparable field that meets the requirements of subsection C of 18VAC95-30-90 with no internship shall complete 320 hours in an A.I.T. program;

2. An applicant with a master's degree in an unrelated field shall complete 320 hours in an A.I.T. program; or

3. An applicant with a baccalaureate degree in an unrelated field shall complete 500 hours in an A.I.T. program.

18VAC95-30-160. Required content of an administrator-in-training program.

A. Prior to the beginning of the training program, the preceptor shall develop and submit for board approval a training plan which shall include and be designed around the specific training needs of the administrator-in-training. The training plan shall include the tasks and the knowledge and skills required to complete those tasks as approved by NAB as the domains of practice for residential care/assisted living in effect at the time the training is being provided. An A.I.T. program shall include training in each of the learning areas in the domains of practice.

B. An A.I.T. shall be required to serve weekday, evening, night and weekend shifts and to receive training in all areas of an assisted living facility operation.

18VAC95-30-170. Training facilities.

Training in an A.I.T. program or for an internship shall be conducted only in:

1. An assisted living facility or unit licensed by the Virginia Board of Social Services or by a similar licensing body in another jurisdiction;

2. An assisted living facility owned or operated by an agency of any city, county, or the Commonwealth or of the United States government; or

3. An assisted living unit located in and operated by a licensed hospital as defined in §32.1-123 of the Code of Virginia, a state-operated hospital, or a hospital licensed in another jurisdiction.

18VAC95-30-180. Preceptors.

A. Training in an A.I.T. program or an internship shall be under the supervision of a preceptor who is registered or recognized by a licensing board.

B. To be registered by the board as a preceptor, a person shall:

1. Hold a current, unrestricted Virginia assisted living facility administrator or nursing home administrator license;

2. Be employed full-time as an administrator in a training facility or facilities for a minimum of two of the past three years immediately prior to registration; and

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3. Submit an application and fee as prescribed in 18VAC95-30-40.

C. A preceptor shall:

1. Provide direct instruction, planning and evaluation;

2. Be routinely present with the trainee in the training facility; and

3. Continually evaluate the development and experience of the trainee to determine specific areas needed for concentration.

D. A preceptor may supervise no more than two trainees at any one time.

18VAC95-30-190. Reporting requirements.

A. The preceptor shall maintain progress reports on forms prescribed by the board for each month of training.

B. The trainee's certificate of completion plus the accumulated original monthly reports shall be submitted by the preceptor to the board within 30 days following the completion of the program.

18VAC95-30-200. Interruption or termination of program.

A. If the program is interrupted because the registered preceptor is unable to serve, the trainee shall notify the board within five working days and shall obtain a new preceptor who is registered with the board within 60 days.

1. Credit for training shall resume when a new preceptor is obtained and approved by the board.

2. If an alternate training plan is developed, it shall be submitted to the board for approval before the trainee resumes training.

B. If the training program is terminated prior to completion, the trainee and the preceptor shall each submit a written explanation of the causes of program termination to the board within five working days. The preceptor shall also submit all required monthly progress reports completed prior to termination.

Part V. Refusal, Suspension, Revocation, and Disciplinary Action.

18VAC95-30-210. Unprofessional conduct.

The board may refuse to admit a candidate to an examination, refuse to issue or renew a license or approval to any applicant, suspend a license for a stated period of time or indefinitely, reprimand a licensee, place his license on probation with such terms and conditions and for such time as it may designate, impose a monetary penalty, or revoke a license for any of the following causes:

1. Conducting the practice of assisted living administration in such a manner as to constitute a danger to the health, safety, and well-being of the residents, staff, or public;

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2. Failure to comply with federal, state, or local laws and regulations governing the operation of an assisted living facility;
3. Conviction of a felony or any misdemeanor involving abuse, neglect or moral turpitude;
4. Failure to comply with any regulations of the board; or
5. Inability to practice with skill or safety.